

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC
Plaintiff,

v.

TEXAS INSTRUMENTS, INC.
Defendant.

§ Civil Action No. 6:12-CV-499 MHS
§
§ LEAD CASE
§
§

BLUE SPIKE, LLC,
Plaintiff,

v.

CBS INTERACTIVE INC.
Defendant.

§ Civil Action No. 6:13-CV-60 MHS
§
§ CONSOLIDATED CASE
§
§

**DEFENDANT CBS INTERACTIVE INC.'S NOTICE OF
JOINDER AND JOINDER IN AUDIBLE MAGIC CORPORATION'S AND ITS
CUSTOMERS' MOTION TO TRANSFER VENUE TO THE UNITED
STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA UNDER 28 U.S.C. § 1404(a)**

Defendant CBS Interactive Inc. (“CBSi”) hereby provides notice that it joins in *Audible Magic Corporation’s and its Customers’ Motion to Transfer Venue to the United States District Court for the Northern District of California under 28 U.S.C. §1404 (a)* (Dkt. 771) (“Motion to Transfer”).

CBSi is accused in the complaint in the above-referenced action based on Audible Magic Corp.’s content identification services and technology used in connection with the “CBS Sync” product accused in the complaint. *See Declaration Of Jonathan Mantell In Support Of Defendant Audible Magic Corporation’s And Its Customers’ Motion To Transfer Venue To The United States District Court For The Northern District Of California Under 28 U.S.C. § 1404(a)*. Thus, CBSi adopts by reference the briefing and argument in support of the Motion to Transfer and requests that the Court order Blue Spike, LLC’s claims against CBSi (Case No. 6:13-cv-60) be transferred to the Northern District of California.

June 24, 2013

Respectfully submitted,

/s/ Andrew L. Perito

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Attorneys for Defendant CBS Interactive Inc.

CERTIFICATE OF CONFERENCE PURSUANT TO LOCAL RULES CV-7(h) and (i)

I hereby certify that Defendants have complied with the meet and confer requirement of Local Rule CV-7(h). On May 22, 2013, counsel for CBSI (Andrew Perito) met and conferred via telephone with counsel for Blue Spike, Inc. (Christopher Honea) regarding the present motion. Counsel for Blue Spike, Inc. indicated that it opposes this motion and discussions have conclusively ended in an impasse, leaving an open issue for the Court to resolve.

Dated: June 24, 2013

/s/ Andrew L. Perito

Andrew L. Perito

CERTIFICATE OF SERVICE

I hereby certify on this 24th day of June, 2013 that a copy of the foregoing was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel of record who have consented to electronic service through the Court's CM/ECF system pursuant to Local Rule CV-5(a)(3).

/s/Andrew L. Perito

Andrew L. Perito